Agenda
SENATE OF ACADEMIC STAFF MEETING
September 5, 2012
Oakwood Room, MSC
3:00 p.m.

I. Call to Order
   A. Group Photograph

II. Administrative Reports
   A. Chancellor's Report
      1. AQIP
      2. Enrollment Management
      3. Engagement Session Feedback on Supplemental Pay Plan Criteria and Funding Sources
   B. Vice Chancellor for Academic Affairs' Report
   C. Vice Chancellor for Administrative and Student Life Services' Report

III. Announcements
   A. Welcome and Introduction of Senators
   B. SAS meeting Schedule for 2012-2013 (Attachment 1)
   C. SAS Membership for 2012-2013 (Attachment 2)
   D. Simplified Parliamentary Procedure (Attachment 3)
   E. Open Meetings Law (Attachment 4)
   F. Other

IV. Approval of Minutes of July 25, 2012 (Attachment 5)

V. Reports
   A. Chair (Jerry Addie)
   B. Lisa Walter Presentation—Chancellor’s Academic Staff Award for Excellence 2011-12

VI. Old Business
   A. 2012 UW-System Academic Staff Professional Development Conference
   B. Pay Plan Update
   C. SAS Achievement Subcommittee Update
      1. Advocacy
      2. Committee Cleanup
      3. Newsletter
      4. Website
   D. University Personnel Systems
   E. Senate of Academic Staff Election Results
   F. Tobacco Free Campus Policy
   G. Other

VII. New Business
   A. Approval of Committee Appointments (Attachment 6)
   B. Committee Appointment Vacancies (Attachment 7)
   C. Student Non-Discrimination Policy (Attachment 8)
   D. Service Animal Policy (Attachment 9)
   E. Sexual Harassment Policy Revision (Attachment 10)
   F. Compensation Program Criteria (Attachment 11)
   G. New Business—Bob Butterfield, Director of Instructional Resources—etextbooks.

VIII. Adjournment

Notes:
1. The next Senate meeting will be held at 3:00 pm on September 19, 2012 in the Oakwood Room (MSC).
SENATE OF ACADEMIC STAFF MEETING SCHEDULE
2012-2013

SEMESTER I

July 25 - Summer Meeting of Senate of Academic Staff, 3:00 p.m., Wilson Park (Band Shell), 7th Street East and Wilson Avenue

September 5 - Senate of Academic Staff, 3:00 p.m., Oakwood Room, MSC
September 19 - Senate of Academic Staff, 3:00 p.m., Oakwood Room, MSC
Senate of Academic Staff Executive Committee immediately follows in location TBD

October 3 - Senate of Academic Staff, 3:00 p.m., 217 RSSLC (University Library)
October 17 - Senate of Academic Staff, 3:00 p.m., Oakwood Room, MSC
Senate of Academic Staff Executive Committee immediately follows in location TBD

October 31 - Senate of Academic Staff, 3:00 p.m., Oakwood Room, MSC
November 14 - Senate of Academic Staff, 3:00 p.m., Oakwood Room, MSC
Senate of Academic Staff Executive Committee immediately follows in location TBD

November 28 - Senate of Academic Staff, 3:00 p.m., Oakwood Room, MSC

SEMESTER II

TBD - Academic Staff Professional Development Conference, UW System and UW-Madison, Madison

January 23 - Senate of Academic Staff, 3:00 p.m., Oakwood Room, MSC
Senate of Academic Staff Executive Committee immediately follows in location TBD

February 6 - Senate of Academic Staff, 3:00 p.m., Oakwood Room, MSC
February 20 - Senate of Academic Staff, 3:00 p.m., 144 Price Commons
Senate of Academic Staff Executive Committee immediately follows in location TBD

March 6 - Senate of Academic Staff, 3:00 p.m., Oakwood Room, MSC
March 27 - Senate of Academic Staff, 3:00 p.m., Oakwood Room, MSC
Senate of Academic Staff Executive Committee immediately follows in location TBD

April 17 - Senate of Academic Staff, 3:00 p.m., Oakwood Room, MSC
May 1 - Senate of Academic Staff, 3:00 p.m., Oakwood Room, MSC
## Senate of Academic Staff Membership 2012-2013

<table>
<thead>
<tr>
<th>NAME</th>
<th>PHONE</th>
<th>E-MAIL</th>
<th>TERM ENDS</th>
<th>REPRESENTATION</th>
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<tr>
<td>Jerry Addie</td>
<td>1254</td>
<td>Addiej</td>
<td>2013</td>
<td>Chair, Past Chair</td>
<td>Apparel &amp; Comm. Tech.</td>
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<td>Barb Bauer</td>
<td>3482</td>
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<td>2014</td>
<td>At-Large</td>
<td>SOE Instruction</td>
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<td>Robert Butterfield</td>
<td>2617</td>
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<td>2014</td>
<td>At-Large</td>
<td>Instructional Resources</td>
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<td>Nathan Castillo</td>
<td>4033</td>
<td>Castillon</td>
<td>2014</td>
<td>Admin. &amp; Student Life Serv.</td>
<td>Student Center</td>
<td>207 MSC</td>
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<td>James Church</td>
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<td>2014</td>
<td>Admin. &amp; Student Life Serv.</td>
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<td>Stephen Collie</td>
<td>5294</td>
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<td>2013</td>
<td>College of Arts, Humanities and Social Sciences</td>
<td>Speech Communication</td>
<td>112A HH</td>
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<td>Tracy DeRusha</td>
<td>2474</td>
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<td>Wendy Dittmann</td>
<td>1372</td>
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<td>2014</td>
<td>College of Management</td>
<td>Operations &amp; Management</td>
<td>264 TW</td>
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<td>Susan Greene</td>
<td>1638</td>
<td>Greenes</td>
<td>2013</td>
<td>Chancellor's Office</td>
<td>Planning, Assessment, Research and Quality</td>
<td>124 BOWH</td>
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<td>Krista James</td>
<td>1557</td>
<td>Jamesk</td>
<td>2014</td>
<td>College of Science, Technology, Engineering and Mathematics</td>
<td>Biology</td>
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<td>Josh Lind</td>
<td>5398</td>
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<td>2013</td>
<td>Academic &amp; Student Affairs</td>
<td>Registration and Records</td>
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<td>Lelah Lugo</td>
<td>1552</td>
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<td>Academic &amp; Student Affairs</td>
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<td>John Lui</td>
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<td>Robin Muza</td>
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<td>HDFS</td>
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<td>Jen Parker</td>
<td>3496</td>
<td>Parkerj</td>
<td>2013</td>
<td>Admin. &amp; Student Life Serv.</td>
<td>University Housing</td>
<td>170 PRCM</td>
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<td>Sandy White</td>
<td>1610</td>
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<td>Ex Officio (non-voting)</td>
<td>Human Resources</td>
<td>203 ADMIN</td>
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<td>Doug Mell</td>
<td>1198</td>
<td>Melld</td>
<td>Ongoing</td>
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* Executive Committee
Simplified Parliamentary Procedure

I. USUAL ORDER OF BUSINESS
   A. Call to order
   B. Roll call
   C. Minutes, read and approved or corrected
   D. Report of committees
      1. Standing committees
      2. Special committees
   E. Unfinished or old business
   F. New business
   G. Announcements
   H. Adjournment

II. PROPER PROCEDURE FOR HANDLING A MOTION
   A. Member rises or signifies they would like to speak and addresses chairperson
   B. Chairperson recognizes member by saying name or nodding
   C. Member states motion
   D. Chairperson asks for a second if one is not offered voluntarily
   E. Chairperson states the motion
   F. Chairperson asks for discussion if it a debatable motion
   G. When discussion ceases, chairperson restates motion and asks for a vote
   H. Chairperson gives results of vote and declares the motion passed or failed

(Some motions do not require all 8 steps see section III for variations.)

III. MOTIONS MOST OFTEN USED DURING A MEETING
   Motions have rank or precedence, those of lower rank yield to those of higher rank, resulting in more than one motion of the floor at one time. A higher ranking motion can be moved during the discussion period of the motion before the assembly. The following motions are listed according to their rank, starting with the lowest.
   A. The main motion (a proposal of an activity for an organization)
      1. Phraseology example: “I move that we have a party.”
      2. Rules for procedure:
         a. Requires the 8 steps as described in proper procedure, section II.
         b. Majority vote
B. Amendment (a change in a motion by adding, subtracting or substituting words)
   1. Phraseology example: “I move we amend the motion by adding the word "Christmas" before the word "party".”
   2. Rules for the procedure:
      a. Requires 8 steps in as described in proper procedure
      b. Majority vote
   3. An amendment to an amendment changes or modifies the original amendment. Say, “I move we amend the amendment by...”. Use same rules for procedure as above for the original amendment.

C. Refer to committee (having a special group investigate or arrange necessary details to carry out the motion)
   1. Phraseology example: “I move we refer this matter of a Christmas party to the program committee.”
   2. Rules for procedure:
      a. Requires the 8 steps in proper procedure
      b. Majority vote

D. Postpone to a certain day (a motion which allows the motion to be postponed until a later meeting)
   1. Phraseology example: “I move we postpone consideration of this motion until the next meeting.”
   2. Rules for procedure:
      a. Requires 8 steps in proper procedure
      b. Majority vote

E. Close debate (to stop discussion upon the motion)
   1. Phraseology example: “I move we close debate and vote immediately on the pending question.”
   2. Rules for procedure:
      a. Requires 7 steps of the proper procedure - omit discussion (step F)
      b. Two-thirds vote

F. Lay on the table (motion sets aside the motion for later consideration)
   1. Phraseology example: “I move we table this motion concerning the Christmas party.”
   2. Rules for procedure:
      a. Requires 7 steps of the proper procedure - omit discussion (step F)
      b. Majority vote
   3. Motion to take from the table is the method used to bring the motion back on the floor for discussion after a period of time has elapsed. Say, “I move we take from the table the motion...”. The same rules as for lay on the table apply.
IV. OTHER USEFUL MOTIONS

A. Withdraw a motion (to retract, recall or take back a proposed motion)
   1. Phraseology example: “I wish to withdraw the motion concerning the party.” Note: This motion is made by the originator of the motion.
   2. Rules for procedure:
      a. If a member objects to the withdrawal, a motion by another member is in order. (example: "I move that Senator Smith be permitted to withdraw her motion.")
      b. Requires 7 steps of the procedure- omit requirement of a second. (step D)
      c. Majority vote.

B. Reconsider (motion to bring an old motion on to the floor)
   1. Phraseology example: “I move we reconsider the vote on the motion to have a party.”
   2. Rules for procedure:
      a. Requires 6 steps of the proper procedure - omit interruption of speaker (step A) and recognition by chairperson (step B)
      b. Majority vote

C. Point of order (member indicates an error in parliamentary procedure)
   1. Phraseology example: “I rise to a point of order.”
   2. Rules for procedure:
      a. May interrupt a speaker; does not need recognition; does not need a second
      b. Decision made by chairperson

D. Parliamentary inquiry (member tactfully asks if an error has been made in parliamentary procedure)
   1. Phraseology example: “I rise for parliamentary inquiry.”
   2. Rules for procedure: same as for point of order

E. Division (to obtain an accurate account of the vote)
   1. Phraseology example: “I call for division.”
   2. Rules for procedure: same as for point of order

F. Questions of privilege (to bring up urgent matter concerning personal comfort)
   1. Phraseology example: “I rise to a question of privilege,”
   2. Rules for procedure: same as for point of order

G. Adjourn (motion to end the present meeting)
   1. Phraseology example: “I move we adjourn.”
   2. Rules for procedure:
      a. Requires 7 steps in proper procedure - omit discussion
      b. Majority vote
How to Attempt to Carry or Defeat Motions

**How to attempt to pass a motion**

1. Second the motion immediately.
2. Give arguments for it during the discussion.
3. Vote for the motion.
4. Vote against any motion to postpone the motion indefinitely.
5. Move to amend it, to perfect or improve it.
6. Vote against the motion to refer.
7. Vote against the motion to postpone.
8. Vote against the motion to close debate.
9. Vote against the motion to table.
10. Vote against the motion to recess.
11. Vote against the motion to reconsider.
12. Carry out motions immediately, so the motion to rescind cannot be used.
13. Vote against motion to adjourn.
14. The only way to carry a motion is to get the votes. Have your supporters at the meeting and encourage them to vote your way.

**How to attempt to defeat a motion**

1. Do not second the motion.
2. Give arguments against it during the discussion.
3. Vote against the motion.
4. Move to postpone indefinitely in an attempt to “kill” it.
5. Move to amend it to make it undesirable or complicated.
6. Move to refer it to a committee to delay action.
7. Move to postpone it to the next meeting to delay action.
8. Move to close debate to stop further discussion of good points.
9. Move to table the motion.
10. Move to take a recess to delay the discussion and strengthen your side.
11. If opponents win, move to reconsider the motion.
12. If opponents win and action has not been taken, move to rescind it.
13. Move to adjourn in order to prevent voting.
14. The best way to defeat a motion is to vote it down. Get your supporters to the meeting. Encourage them to stay and vote your way.
WISCONSIN OPEN MEETINGS LAW

§§19.81-19.98, Wisconsin Statutes

POLICY

§19.81

A. Declaration. The legislature declares that state policy is to
1. enable the public to have “the fullest and most complete information regarding the affairs of government as is compatible with the conduct of government business.”
2. ensure that meetings of governmental bodies are held in places reasonably accessible to the public.
3. ensure that such meetings are open to the public unless otherwise expressly provided by law.

B. Interpretation. The Open Meetings Law is to be “liberally construed” (i.e. broadly interpreted) to achieve the purpose of open government. (The rule that penal statutes are strictly construed applies only to the enforcement of forfeitures under the law.)

DEFINITIONS; COVERAGE

A. “Governmental bodies” subject to the Open Meetings Law

1. State & local bodies. A “governmental body” under the Open Meetings Law includes any state or local agency, board, commission, committee and council created by law, ordinance, rule or order. §19.82(1). At the local level, bodies covered include school boards, county, village and town boards, city councils, and all their committees, commissions and boards. The term “rule or order” has been broadly interpreted by the attorney general to include formal and informal directives by a governmental body or officer that sets up a body and assigns it duties. §19.82(1). The term would include resolutions.

2. Governmental & quasi-governmental corporations; other bodies. In addition to the above, the term “governmental body” under the law includes governmental and quasi-governmental corporations and certain other specified entities. §19.82(1). A governmental or quasi-governmental corporation includes corporations created by the legislature or by other governmental bodies under statutory authorization. A quasi-governmental corporation is subject to the law, even though it was not created by a governmental body, if it has the attributes of a governmental corporation. However, merely serving a public purpose and receiving more than 50% of its funding from a public source do not in themselves make a corporation a “quasi-governmental corporation.” But when a corporation, such as a local economic development corporation, performs public duties and sufficiently exhibits the characteristics of a governmental corporation, then it falls under the law.
3. Special and advisory bodies. Special study committees and other advisory committees set up by a local officer, the local governing body or by a body it has created are also subject to the law5.

4. Collective bargaining. A local governmental body conducting collective bargaining is not subject to the law. However, notice of reopening a collective bargaining agreement must be given under the Open Meetings Law and final ratification of the agreement must be done in open session under such law. §§19.82(1) & 19.86.

B. “Meetings” under the Open Meetings Law

1. Definition. A meeting is defined as a gathering of members of a governmental body for the purpose of exercising responsibilities and authority vested in the body. §19.82(2). The courts apply a purpose test and a numbers test to determine if a meeting occurred6.

2. Purpose & numbers tests
   a. Purpose test. This test is met when discussion, information gathering or decision-making takes place on a matter within the governmental body’s jurisdiction. This test is met even if no votes are taken; mere discussion or information gathering satisfies the test. Notice is therefore required if the numbers test is also met.
   b. Numbers test. This test is met when there are enough members to determine the outcome of an action. If the purpose test is also met, then a meeting occurs under the law. The numbers test may be met if fewer than one-half of the members of the body are present—if such number can determine the outcome. This is called a “negative quorum.” For example, since amending an adopted municipal budget requires a two-thirds vote, a meeting occurs when one-third plus one of the members meet to discuss the matter7. (This number can block the required two-thirds vote to pass a budget amendment.)

3. “Walking quorums”; telephone calls; email. A series of gatherings of members of a governmental body may cumulatively meet the numbers test, making a “walking quorum” in violation of the Open Meetings Law if the purpose test is also met8. Telephone conference calls among members, when the two tests are met, qualify as meetings, and must be held in such manner as to be accessible to the public, as with use of an effective speaker system9. (Telephone conference meetings should be used rarely, and preferably held only after seeking the advice of legal counsel.) A “walking quorum” by successive telephone calls is also subject to the law. Email messages could also be construed to qualify as a meeting of a governmental body, but this method of communicating raises numerous issues under the law concerning such matters as public accessibility and inadvertently meeting the numbers test. The state attorney general discourages members of a governmental body from communicating with each other in this fashion about issues under the body’s authority10.

4. Multiple meetings. A meeting under the law may occur when a sufficient number of members of one governmental body attend the meeting of another body to gather information about a subject over which they have responsibility. Unless the gathering of the members is by chance, a meeting should be noticed for both bodies11.

5. Certain gatherings not meetings. Chance gatherings, purely social gatherings, and joint attendance at conferences, where the numbers test is met, are not meetings if business is not conducted (that is, if the purpose test is not met). §19.82(2).

6. Presumption of a meeting. If one-half or more of the members of a governmental body are present, a statutory presumption exists that there is a meeting. This presumption can be overcome by showing that the purpose test was not met or that an exception applied. §19.82(2).
7. Town & drainage board exceptions. Limited exceptions to when a “meeting” occurs under the Open Meetings Law have been created for town boards, town sanitary commissions and drainage boards gathering at certain sites. §19.82(2).

a. Exception. The town board may gather at the site of a public works project or highway, street or alley project approved by the board for the sole purpose of inspecting the work, without following the usual notice, accessibility and other requirements under the Open Meetings Law. §60.50(6).

b. Notice. To come under this exception, the town board chairperson or designee must notify news media by telephone or fax of the upcoming inspection, if the media have filed a written request for notice of “such inspections in relation to that project.”

c. Report. After the inspection, the town board chairperson or designee must submit a report describing the inspection at the next town board meeting.

d. Prohibition on taking action. No town board action may be taken at the inspection site.

e. Sanitary commissions & drainage boards. The same exception and requirements apply to town sanitary commissions gathering at one of their public works projects, with the notice and reporting duties performed by the commission president or designee. §60.77(5)(k). A similar provision applies to drainage district boards gathering at specified sites. §88.065(5)(a).

NOTICE & ACCESS

A. Accessibility. The place of meeting must be reasonably accessible to the public, including persons with disabilities. §19.82(3). Accordingly, the facility chosen for a meeting must be sufficient for the number of people reasonably expected to attend.

B. Public notice; posting. Public notice is required for every meeting of a governmental body. §§19.83 & 19.84. This notice may be accomplished by posting in places likely to be seen by the public; a minimum of three locations is recommended. The notice requirements of other applicable statutes must be followed. Although paid, published newspaper notices are not required by the Open Meetings Law, other specific statutes may require them. §19.84. If notices are published, posting is still recommended.

C. Notice to media. Notice must be provided to news media who have requested it in writing. §19.84(1)(b). Notice may be given in writing, by telephone, voice mail, fax or email. Written methods are preferable because they create a record that can be used to show compliance with this notice requirement. Notice must also be provided to the governmental unit’s official newspaper, or, if there is no official newspaper, it must be sent to a news medium likely to give notice in the area.

D. Notice of certain disciplinary & employment matters. Actual notice must be given to an employee or licensee of any evidentiary hearing or meeting at which final action may be taken at a closed session regarding dismissal, demotion, licensing, discipline, investigation of charges or the grant or denial of tenure. §19.85(1)(b). The notice must contain a statement that the affected employee or licensee has the right to demand that such hearing or meeting be held in open session.
E. Timing of public notice. At least a 24-hour notice of a meeting is required; however, if 24 hours is impossible or impractical for good cause, a shorter notice may be given, but in no case may the notice be less than 2 hours. §19.84(3). This “good cause” provision allowing short notice should be used sparingly and only when truly necessary.

F. Separate public notice required. A separate notice for each meeting is required. §19.84(4). A general notice of a body’s upcoming meetings is not sufficient16.

G. Public notice contents
   1. Items shown. Notice must specify the time, date, place and subject matter of the meeting. §19.84(2).
   2. Specificity. The notice must be “reasonably likely to apprise members of the public and the news media” of the subject matter of the meeting. §19.84(2). In other words, the notice must be specific enough to let people interested in a matter know that it will be addressed.
   3. Anticipated closed session. If a closed session on an item is anticipated, notice of such item and closed session must be given, and the statutory citation allowing closure should be cited. §19.84(2).
   4. Consideration limited. Consideration of matters in open and closed session is limited to the topics specified in the notice, except as noted in 5. §§19.84(2) & 19.85(1)(intro.).
   5. Public comment. The notice may provide for a period of “public comment.” During this period the body may receive information from members of the public and discuss such matters (but may not take action on them unless properly noticed). §§19.83(2) & 19.84(2).

H. Openness; recording & photographing. Meetings must be open to all persons, except when closed for a specific purpose according to law (see following heading). §§ 19.81(2) & 19.83(1). In addition, the governmental body meeting must make a “reasonable effort to accommodate” persons wishing to record, film or photograph the meeting, provided that such acts do not interfere with the meeting or the rights of participants. §19.90.

PERMITTED EXEMPTIONS FOR HOLDING CLOSED SESSIONS

A. Policy; strict construction of exemptions. The Open Meetings Law generally declares that it is state policy to provide the public with “the fullest and most complete information regarding the affairs of government as is compatible with the conduct of government business,” and that the law must be interpreted liberally to achieve this purpose (except for the forfeiture provisions, which are interpreted strictly). §19.81(1) & (4). The law further provides that sessions must generally be open to the public. §19.83(1). In light of these provisions, the exemptions in §19.85 that allow closed sessions must be interpreted strictly and narrowly, rather than broadly17. Any doubt as to the applicability of an exemption or, if an exemption applies, the need to close the session should be resolved in favor of openness. A closed session may be held only for one or more of the 13 specified statutory exemptions to the requirement that meetings be held in open session. The following 7 exemptions (B—J) are of interest to local government bodies.

B. “Case” deliberations. Deliberating on a case which was the subject of a quasi-judicial hearing. §19.85 (1)(a). Note: this exemption should seldom be used in light of the narrow judicial interpretation given to it18.
C. **Employee discipline; licensing; tenure.** Considering dismissal, demotion, licensing, or discipline of a public employee or licensee, the investigation of charges against such person, considering the grant or denial of tenure, and the taking of formal action on any of these matters. The employee or licensee may demand that a meeting that is an evidentiary hearing or a meeting at which final action may be taken under this exemption be held in open session. Employees and licensee must be given actual notice of such hearing or meeting and their right to demand an open session. §19.85 (1)(b). If this demand is made, the session must be open.

D. **Employee evaluation.** Considering employment, promotion, compensation or performance evaluation data of an employee. §19.85 (1)(c).

E. **Criminal matters.** Considering specific applications of probation or parole, or strategy for crime prevention or detection. §19.85 (1)(d).

F. **Purchases; bargaining.** Deliberating or negotiating the purchase of public property, investment of public funds, or conducting other specified public business when competitive or bargaining reasons require a closed session. §19.85 (1)(e).

G. **Burial sites.** Deliberating on a burial site if discussing in public would likely result in disturbance of the site. §19.85 (1)(em).

H. **Damaging personal information.** Considering financial, medical, social or personal histories or disciplinary data of specific persons, preliminary consideration of specific personnel problems or the investigation of charges against specific persons, except where the subject’s right to open the meeting (item C above) applies. This exemption may be used only if public discussion would be likely to have a *substantial adverse effect* on the reputation of the person involved. §19.85 (1)(f). Note that this exemption applies to “specific persons” rather than the narrower class of public employee or licensees (item C above.)

I. **Legal consultation.** Conferring with legal counsel about strategy regarding current or likely litigation. §19.85 (1)(g).

J. **Confidential ethics opinion.** Considering a request for confidential written advice from a local ethics board. §19.85 (1)(h).

**CONDUCTING PERMITTED CLOSED SESSIONS**

A. **Public notice.** Notice of a contemplated closed session must describe the subject matter and should specify the specific statutory exemption(s) allowing closure. §19.84(2) & 19.85(1).

B. **Convening in open session.** The body must initially convene in open session. §19.85(1)(intro.).

C. **Procedure to close.** To convene in closed session, the body’s presiding officer must announce in open session, prior to the vote, the nature of the business to be considered in closed session and the specific statutory exemption(s) allowing closure. This announcement must be made part of the record. A motion to go into closed session must be made and a vote taken so
that the vote of each member can be determined. §19.85(1)(intro.). The motion, second and vote must likewise be made a part of the record.

D. Limits on reconvening in open session. Once a body convenes in closed session it may not reconvene in open session for at least 12 hours, unless public notice of its intent to return to open session was given in the original notice of the meeting. §19.85(2).

E. Unanticipated closed session. The body may go into an unanticipated closed session, if the need arises, on an item specified in the public notice. In such case, the closed session item should be placed at the end of the agenda because the body cannot reconvene in open session without having given prior public notice. This provision on unanticipated closed sessions is very narrow. Whenever time allows, the 24-hour notice provision must be followed, or, at a minimum, when there is good cause, the 2-hour notice can be used to give an amended notice of the meeting indicating a closed session on an item that was not previously anticipated.

F. Recording actions. As with open sessions, motions and votes made in closed session must be recorded. §19.88. Whenever feasible, votes should be taken in open session.

G. Matters considered. The body may consider only the matter(s) for which the session was closed. §19.85(1)(intro.).

VOTING & RECORDS

A. Requiring recording of each member’s vote. A member of a governmental body may require that each member’s vote be ascertained and recorded. §19.88(2).

B. Recording votes; Public Records Law applicability. In general, motions, seconds and any roll call votes must be recorded, preserved and made available to the extent prescribed in the Public Records Law (§§19.32-19.39). §19.88. Vote results, even if not by roll call, should likewise be recorded. Certain statutes may require that each member’s vote be recorded. For example, motions, seconds and the votes of each member to convene in closed session must be recorded. §19.85(1). In addition, various provisions outside of the Open Meetings Law require keeping minutes of proceedings.

C. Narrow secret ballot exception. Although secret ballots are generally prohibited under the Open Meetings Law, a narrow exception allows a governmental body to use secret ballots to elect the body’s officers. §19.88(1). For example, a city council may so elect its president and a committee may so elect its chair (unless the chair is otherwise designated). This narrow exception does not allow secret balloting to fill offices of the governmental unit, such as vacancies in the office of chief executive officer or on the governing body.

SUBUNITS

§19.84(6)

A. Definition. Subunits are created by the parent body and consist only of members of the parent body.
B. Applicability of Open Meetings Law; exceptions
   1. Generally, meetings of subunits are subject to the advance public notice requirements of the law.
   2. However, a subunit, such as a committee of a governing body, may meet without prior public notice during the parent body’s meeting, during its recess or immediately after the meeting to discuss noticed subjects of the parent body’s meeting.

C. Procedure. To allow the subunit to meet without prior public notice, the presiding officer of the parent body must publicly announce the time, place and subject matter (including any contemplated closed session) of the subunit in advance at the meeting of the parent body.

D. Attendance at closed sessions. Members of the parent body may attend closed sessions of a subunit unless the rules of the parent body provide otherwise. §19.89.

PENALTIES & ENFORCEMENT
§§19.96 & 19.97

A. Coverage. All members of a governmental body are subject to the law’s penalty provisions. E.g., if a committee consists of two governing body members and one citizen member, the law applies to the citizen member just as it does to the other members.

B. Penalties; liability
   1. Forfeitures; personal liability. Forfeitures ($25-$300) can be levied against governmental body members who violate the Open Meetings Law. No reimbursement for forfeitures is allowed.
   2. Voiding actions. A court may void any actions taken by the governmental body at a meeting in violation of the Open Meetings Law.
   3. Prevention & self-protection. Media and persons unhappy with actions of the body are the ones most likely to bring complaints of Open Meetings Law violations. Members can prevent problems by making sure, at the beginning of a meeting, that the meeting was properly noticed. Members should also be sure that topics considered were specified in the notice (unless they are brought up under the public comment agenda item) and that proper procedures for closed meetings are followed. Useful protection can come from a clerk’s log documenting proper notice, particularly when shorter notice is given or the notice is amended. Members can protect themselves from personal liability by voting to prevent violations, such as by voting against going into an improper closed session. However, if a meeting goes forward over a member’s motion or vote in objection, the objecting member may still participate in the meeting.

C. Bringing an enforcement action. A person may file a verified complaint (see following heading) with the district attorney (DA) to enforce the Open Meetings Law. If the DA does not begin an action within 20 days, the person may bring the action and receive actual costs and reasonable attorney fees if he or she prevails. The attorney general (AG) may also enforce the law, but these matters are almost always viewed as local matters, for the DA to enforce, rather than of statewide concern appropriate for the AG.

REFERENCE & ADVICE
Refer to §§19.81-19.98 of the Wisconsin Statutes for the specific wording of the law; the statutes may be accessed on the internet at http://folio.legis.state.wi.us/. Advice on the Open Meetings
Law is available from the county corporation counsel, municipal attorney or the Wisconsin Department of Justice. *Wisconsin Open Meetings Law, A Compliance Guide (2001)*, by the Wisconsin Department of Justice, may be found on the internet at [http://www.doj.state.wi.us/dls/spar.asp](http://www.doj.state.wi.us/dls/spar.asp). This guide contains a copy of a verified complaint. The Local Government Center has videotapes on the law, available through county Extension offices. On the internet, go to [http://www.uwex.edu/lgc/](http://www.uwex.edu/lgc/), click on “Publications” and scroll down to “Video Tapes” for information on ordering.

4. In 80 *Op. Att’y Gen.* 129 (1991), the attorney general opined that the Milwaukee Economic Development Corporation was a “quasi-governmental corporation” under the law. It was created by two private citizens and a public employee. Factors important in the determination included: the bylaws required 4 of 9 directors to be city officials; the city appointed the corporation’s officers; and the corporation was located in a city building, used city equipment and was staffed by city employees.
7. This was the situation in the *Showers* case, above.
8. *Showers*, 135 Wis.2d at 92, 100 (quoting *State ex. rel. Lynch v. Conta*, 71 Wis.2d 662, 687 (1976)).
10. See the *Compliance Guide*, p. 6, cited above under “Reference & Advice.”
11. *Badke*, 173 Wis.2d 553, 561.
18. See *Hodge*, above.
20. See, e.g., §§59.23(2)(a), 61.25(3) & 62.09(11)(b) requiring county, village and city clerks to keep a record of proceedings of their respective governing bodies.
22. §§19.83(2) & 19.84(2). See brief discussion under “Notice & Access” at F. 5.

*Prepared by James H. Schneider, J. D., Local Government Center. Thanks to reviewers Claire M. Silverman, J. D., League of Wisconsin Municipalities; and David G. Hinds (retired), Local Government Center.*

Local Government Center  
University of Wisconsin-Extension  
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Madison, WI  53703  
Phone (608) 262-9961  
Fax (608) 265-8662  
[www.uwex.edu/lgc/](http://www.uwex.edu/lgc/)
ATTENDANCE

CHAIR: Jerry Addie
VICE CHAIR: Krista James
PRESENT: Jerry Addie, Robert Butterfield, Nathan Castillo, James Church, Wendy Dittman, Susan Greene, Josh Lind, Lelah Lugo, Jen Parker,
Guests: Monika Herrmann, Ilse Hartung

ABSENT: Krista James (excused), John Lui (excused), Sandra White (excused), Barbara Bauer (excused), Robin Muza (excused), Tracy DeRusha (excused), Stephen Collie, Deb Gehrke, Doug Mell

I. Call to Order – 3:02 p.m.

II. Announcements and Information
   A. Chair (Jerry Addie) – Welcome to summer meeting. Senators introduced themselves.

III. Approval of Minutes of May 2, 2012
    Motion: Senator Lugo asked for a change in the minutes from Library Learning Center to University Library. Senator Dittman/Senator Butterfield moved to approve the Minutes of May 2, 2012.
    Vote: Passed Unanimously.

IV. Reports (Most committees do not meet in the summer)
   A. Chair (Jerry Addie)
   B. Other

V. Old Business
   A. 2012 UW-System Academic Staff Professional Development Conference
   B. Pay Plan Update
   C. SAS Achievement Subcommittee Update
      1. Advocacy
      2. Committee Cleanup
      3. Newsletter
      4. Website
   D. University Personnel Systems – Chair Addie met with Deb Gehrke in Human Resources today regarding the upcoming changes.

Payroll Distribution - University System is looking to change the payroll distribution from 12 pay periods (monthly) to 26 pay periods (biweekly). Chair Addie expressed concern about receiving 1/13 of salary for 10 months and then a bonus for 2 months. This change will include faculty, academic staff, and classified employees. It is difficult to budget when your pay periods change. Chair Addie is proposing that a detailed description be provided to all academic staff and then recommending a qualtrics survey to get input. Based on the results, feedback can be provided to Madison. Target date to implement this change July 1, 2013.

Motion: Senator Lugo/Senator Castillo move to complete a qualtrics survey to all academic staff. Motion passed – 8 to 1. Survey should be conducted August 27 – September 20 to reach all academic staff including those on a 9 month contract.
Sick Leave Benefit – University System is looking at changing the sick leave benefit for new employees. Currently, when academic staff are hired, they receive 22 days of sick leave up front. University System is proposing that all sick time be accrued on a monthly basis. Concerns: impact to income continuation insurance, taking away a current benefit, difficult to accrue sick time for new employees, and salaries are already low so it is not attractive for people to come and stay at UW-Stout.

Classified Exempt Staff – A proposal is also being considered to change classified exempt staff to academic staff on a permanent contract. Concerns: inequity and morale issues.

Supplementary Pay Plan – Chair Addie and Senator Lugo attended a Supplementary Pay Plan meeting. Chair Addie agreed with the Faculty Senate that we shouldn’t go any further with the supplementary pay plan to take away from one group and give to another. Each campus can come up with a supplementary pay plan to give some people a raise but not all. Some of the criteria for determining who will receive an increase will include: merit (performance at or above), market, and equity (one or two deviations below the industry). Senate of Academic Staff agreed with Faculty Senate that we want to wait until we can do an increase for all employees. Concerns: where is money coming from & fairness. Chancellor is planning to implement a supplementary pay plan. Senate of Academic Staff and Faculty Senate have asked to resume working on the criteria for the supplementary pay plan.

E. Senate of Academic Staff Election Results
F. Tobacco Free Campus Policy
G. Other – Chancellor’s Academic Staff Award for Excellence – Amy McGovern is the recipient for 2012-2013. She received a $5000 stipend. Lisa Walter, the 2011-2012 recipient, will be invited to the Senate of Academic Staff meeting to give project report.

VI. New Business
A. Approval Committee Appointments
   1. Memorials for Deceased Students Policy Review Committee (Attachment 2) –
      Motion: Senator Dittman/Senator Parker moved to select Shawn Wilson as the Academic Staff representative. Motion passed: 8 to 1 (abstention).
B. Committee Availabilities
C. Information on ASPRO (Academic Staff Professional Organization)
D. Other – Remember to attend the Engagement Sessions on August 27, 2012. Last year they did smaller groups with a moderator and it was a great opportunity for people to ask questions and give feedback. They are planning to follow that same format type this year.

VII. Adjournment – (4:10 p.m.)

Notes:
1. The next Senate of Academic Staff meeting will be held on September 5, 2012 at 3:00 p.m. in the Oakwood Room, MSC.
## Committee Appointments

**08/29/2012**

<table>
<thead>
<tr>
<th>Committee</th>
<th>Academic Staff Representative</th>
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<tbody>
<tr>
<td>Energy Committee</td>
<td>Krista James</td>
</tr>
<tr>
<td>Mandatory Reporting of Child Abuse Policy Committee</td>
<td>Erin Sullivan</td>
</tr>
<tr>
<td>Sexual Harassment Policy Revision</td>
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<tr>
<td>Faculty and Academic Staff Professional Development Grants Review Committee</td>
<td>Jonathon Burton</td>
</tr>
<tr>
<td>Positive Action, Ethics and Competition Review Committee</td>
<td>Harvey Thomas</td>
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## SAS Committee Vacancies
### Fall 2012

<table>
<thead>
<tr>
<th>Committee Name</th>
<th># of Vacancies</th>
<th>Alternates</th>
<th>FS or SAS</th>
<th>Description</th>
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<tbody>
<tr>
<td>Faculty and Academic Staff Professional Development Grants Review Committee</td>
<td>3</td>
<td>3</td>
<td>SAS</td>
<td>Alternates - documentation says the same as those on the Academic Staff Professional Development Committee.</td>
</tr>
<tr>
<td>Positive Action, Ethics, and Competition Review Committee</td>
<td>16</td>
<td></td>
<td>SAS</td>
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</tr>
</tbody>
</table>

| TOTAL VACANCIES | 16 | 3 |
TO: Jerry Addie, Chair, Senate of Academic Staff 
Ned Weckmueller, Chair, Faculty Senate 
C: Kristi Krimpelbein 
Brenda Krueger 
Joan Thomas 
Meridith Wentz

FROM: Charles W. Sorensen 
Chancellor

DATE: July 3, 2012

RE: Request for Review - Student Non-Discrimination Policy #11-68

This memo is to request a formal review and resolution by the Faculty Senate and Senate of Academic Staff of the proposed Student Non-Discrimination Policy: #11-68. This policy was created based on a recommendation to split the existing Non-Discrimination Policy #90-61 into two separate policies; one for faculty and staff and one for students. Joan Thomas can serve as a resource person during your review of this policy.

The policy has been reviewed by the campus policy committee as well as the Chancellor’s Cabinet. Your resolution would be appreciated by October 1, 2012.

Thank you for your review of this policy.

Attachment
University of Wisconsin-Stout Policy
STUDENT NON-DISCRIMINATION POLICY
Policy No. 11-68
Date: 02/22/2012

1.0 INTRODUCTION

The University of Wisconsin-Stout (University) is committed to providing an academic and workplace environment for students which recognizes the dignity and worth of all members of the university community. Discrimination violates the dignity of the individual and the integrity of the University as an institution of higher learning. The University will not tolerate discrimination or harassment by or toward students on the basis of sex, race, religion, color, creed, disability, sexual orientation, gender identity or expression, national origin, ancestry, age, marital status, pregnancy, political affiliation, arrest or conviction record, veteran status, or any other prohibited basis defined by federal or state law or University of Wisconsin System policy.

Discrimination and harassment are inconsistent with the University’s efforts to foster an environment of respect for all members of the university community. Incidents of discriminatory conduct are detrimental to the individuals directly involved and diminish the university community as a whole. It is, therefore, the policy of the University that such behavior will not be tolerated and will be dealt with according to the procedures outlined below. Retaliation for filing a complaint of discrimination or harassment is also a form of harassment and is prohibited.

References to other policies:
-Wisconsin Act 237, Wis Stats. 36.12
-UW-Stout policy 90-61: Non-Discrimination Policy
-Board of Regents Section 14: Discrimination Prohibited & Section 17: Equal Opportunity Policies: Education and Employment
-UWS Chapter 17
-Title VI of the Civil Rights Act of 1964
-Title IX of the Education Amendments of 1972
-Section 504 of the Rehabilitation Act of 1073
-s. 101.233, Wis Stats., S. 3611 (3) (a)

2.0 DEFINITION OF TERMS

2.1 Discrimination against Students: No student may be denied admission to, participation in or the benefits of, or be discriminated against in any service, program, course, or facility of the system or its institutions because of the student’s race, color, creed, religion, sex, national origin, disability, ancestry, age, sexual orientation, pregnancy, marital status or parental status.”

2.2 Harassment: Harassment based on sex, race, religion, color, creed, disability, sexual orientation, gender identity or expression, national origin, ancestry, age or
any other prohibited basis defined by federal or state law or University of Wisconsin System policy is a form of discrimination and is prohibited.

2.4 Sexual Harassment: Any unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature by a student toward another student that is so severe, pervasive and objectively offensive that it interferes with or limits a student's ability to participate in or benefit from the University's educational program or activities.

2.5 Retaliation: Retaliation is defined as any act of reprisal, including negative or otherwise unwarranted treatment, related to the reporting of, or participation in a complaint of discrimination/harassment. Retaliation may include, but is not limited to a) taking negative tangible grading actions against a student; b) taking actions that substantially interfere with or have a chilling effect on the student's ability to participate fully in and benefit from the work or educational environment; c) failing to provide assistance or instruction that would otherwise be provided; d) failing to fairly and/or objectively evaluate a student's performance; or e) otherwise sabotaging a student's performance.

It is a violation of this policy to engage in any retaliatory acts against a student who reports an alleged incident of discrimination or harassment or any employee or student who testifies, assists, or participates in a proceeding, investigation, or hearing relating to an allegation or complaint of discrimination or harassment.

3.0 STATEMENT OF POLICY
No student may be denied admission to, participation in or the benefits of, or be discriminated against in any service, program, course, or facility of the system or its institutions because of the student's race, color, creed, religion, sex, national origin, disability, ancestry, age, sexual orientation, pregnancy, marital status or parental status." This policy shall be enforced in a manner that is consistent with Board of Regent's policies and statutes relating to non-discrimination and equal opportunity, and the statutory protections under both state and federal law.

This policy applies to student complaints made against students, employees, vendors, contractors, subcontractors, program participants, and visitors or users of UW-Stout services.

4.0 CRITERIA
Wisconsin Act 237, Wis Stats. 36.12 require that each UW System and College establish policies and procedures that:
1. Provide criteria for determining whether there has been a violation of the general prohibition against discrimination;
2. Provide remedies and sanctions for discrimination;
3. Require complaints of discrimination to be brought within 300 days of the alleged discriminatory actions; and
4. Establish time periods within which complaints of discrimination must be processed and resolved at the institution or center, with a final decision by the Chancellor.

In determining whether discrimination in violation of s.36.12, Wisconsin Statutes, has occurred, the University of Wisconsin – Stout through its Dean of Students Office, shall apply state and federal statutes, regulations, and case law relevant to the precedents as Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, s. 101.233, Wis Stats., S. 3611 (3) (a), Wis. Stats., the United States Constitution, the Wisconsin Constitution, and related regulations and case law. In any case where there is a question as to whether the action or conduct in question violates s. 36.12, Wisconsin Statues, the Dean of Students shall consult with institutional legal counsel.

Filing complaints alleging violation of s.36.12, Wisconsin Statues, must be filed within 300 days of the alleged violation.

5.0 GUIDELINES FOR IMPLEMENTATION

By approval of the Chancellor, or his or her designee, this policy, and the complaint and appeal procedures described in Appendices A: Complaint and Investigation Procedures for Students and B: Complaint and Investigation Procedures for Employees, Vendors, Contractors, Subcontractors, Program Participants, and Visitors or Users of UW-Stout Services will be implemented throughout the University. The Chancellor delegates the responsibility for the administration of this policy to the Dean of Students when the student discrimination complaint is against students and the Human Resources director when the complaint is against non-students. These individuals, or designees, shall be responsible for the enforcement of this policy, investigation of all discrimination complaints, and dissemination of the policy to the campus community, implementation of education and training programs, maintenance of centralized records of discrimination complaints, and coordination of the resolution of complaints.

The Dean of Students or Director of Human Resources or designees, is responsible for the following:

- Review each complaint and determine the complaint was brought within 300 days of the alleged discriminatory action.
- Provide procedural advice and counsel to the complainant, and refer the complainant to any other more relevant complaint or grievance process, if appropriate (see Appendix A and policy 90-61).
- Strive to complete the investigation of the complaint within 60 days of receipt.

Students who wish to report a concern or complaint relating to discrimination or harassment may do so by reporting the concern to the Dean of Students if alleged is a student and to Director of Human Resources if alleged is a non-student.
Notice of a formal complaint can be made in person to an appropriate official but the university strongly encourages submission of complaints in writing describing the alleged incident, where it occurred, and desired remedy sought. Upon receipt the appropriate office will open a formal case file and assign an investigator who will confer with Title IX Coordinator, as appropriate, on interim action, accommodations for alleged victim, and other necessary remedial actions. The investigation will then proceed according to the procedures outlined in Appendices A or B.

6.0 CONSEQUENCES OF POLICY VIOLATION OR NONCOMPLIANCE

Consequences of Policy Violation or Noncompliance

See Appendix A or policy 90-61 for potential non-compliance sanctions.

For findings of discrimination by a student, refer to Appendices A
UWS Ch. 17 Student Nonacademic Disciplinary Procedures - 17.10 (1)
Disciplinary Sanctions or B

7.0 APPEAL PROCESS

Student Appeal Process. Any disciplinary action against a student shall be in accordance with the University Of Wisconsin System Administrative Code Chapter 17 Student Non-academic Disciplinary Procedures. A student who seeks to appeal or request a review of such disciplinary action is afforded these rights in accordance with this policy. In all matters involving an alleged violation of s. 36.12, the complainant may appeal to the Chancellor within 10 days of the outcome under UWS Ch. 17. The Chancellor’s decision is final, except that the Board of Regents may, consistent with the Bylaws of the Board and Regents of the University of Wisconsin System; conduct a review of the record.

Non-Student Appeal Process (see Policy 90-61 ).
NON-DISCRIMINATION POLICY: Students

APPENDIX A: COMPLAINT AND INVESTIGATION PROCEDURES FOR STUDENTS

1.0 Filing a Complaint of Discrimination against a Student.
Any student who believes they have been the victim or witness of discrimination or retaliation by another student should promptly report this belief and the basis thereof to the Dean of Students Office and the investigative and finding process shall be initiated according to University of Wisconsin System Administrative Code Chapter 17 Student Nonacademic Disciplinary Procedures. This chapter defines violations of university rules and policy, provides university procedures for effectively addressing misconduct, and offers educational responses to misconduct.

1.1 The Dean of Students Office must process the complaint within 90 days of receipt of the complaint.
1.2 In the case of sex discrimination, the preponderance of evidence standard is used to resolve complaints.
1.3 In the case of sex discrimination, both parties have the opportunity to present witnesses and other evidence and have the same appeal rights.
1.4 In the case of sex discrimination, both parties are notified of the outcome of the complaint.
TO: Jerry Addie
Ned Weckmueller

c: Meridith Drzakowski
Brenda Krueger
Joan Thomas

FROM: Charles W. Sorensen
Chancellor

DATE: August 20, 2012

RE: Service Animal Policy: #12-70

This memo is to request a formal review and resolution by the Faculty Senate and the Senate of Academic Staff of a new policy entitled Service Animal Policy: #12-70. Your resolution would be appreciated by October 1, 2012. The policy was developed by the Policy Review Committee that included Deb Homa and Kara James as faculty and academic staff representatives. The policy has been reviewed by the campus policy committee and the Chancellor’s Cabinet.

The policy addresses the use of service animals by persons on the UW-Stout campus and presents a standard for behavior for the animal. Joan Thomas can serve as a resource person for any questions.

Thank you for your consideration of this new policy.

Attachment
University of Wisconsin-Stout Policy
Service Animal Policy

Policy No. 12-70
Date: 08/15/2012
Revised: N/A

1.0 INTRODUCTION

This policy addresses the use of service animals by persons with disabilities on the UW-Stout campus and presents a standard of behavior for the animal. It is the intent of UW-Stout to meet the needs of the entire campus community in an atmosphere of open communication and inclusion.

2.0 SCOPE OF POLICY

2.1 This policy applies to an individual with a disability who uses a service animal, as defined below, during his or her employment and/or participation in an academic program or event on campus property.\(^1\) This policy also applies to service animal trainers (see Appendix A).

3.0 DEFINITIONS

3.1 Service Animal:

An animal that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the handler’s disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. The crime deterrent effects of an animal’s presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition.

3.2 Reasonable Accommodation:

A modification to a campus policy, procedure or environment that will allow a person with a disability to perform the essential duties and functions of his or her position and/or allow a person to participate in the academic programs of the campus (including class, housing, university events or activities). For purposes of this policy, a miniature horse may be considered a reasonable accommodation, upon request, if the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability. In determining whether reasonable modifications in policies, practices, or procedures can be made to allow a miniature horse into a specific facility, a public accommodation shall consider the type, size, and weight of the miniature horse and whether the facility can accommodate these features; whether the handler has sufficient control of the miniature horse; whether the miniature horse is housebroken; and whether the miniature horse’s presence in a specific facility compromises legitimate safety requirements that are necessary for safe operation.\(^2\)

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\(^1\)This policy was created in accordance with Title II of the Americans With Disabilities Act, as amended, and Section 504 of the Rehabilitation Act, as amended. If any provision herein conflicts with the applicable provisions of the above federal regulations, the federal regulations will apply. If a state law provides a greater right and/or protection to an individual with a disability as it relates to the use of service animals at a public institution of higher education, said state law will prevail.
4.0 STATEMENT OF POLICY

4.1 It is the policy of the University of Wisconsin-Stout that service animals assisting individuals with disabilities are generally permitted on the campus, including exterior and interior locations which are deemed appropriate in accordance with the provisions of this policy, as detailed below. In addition, reasonable accommodations will be made to allow qualified individuals with disabilities to perform the essential functions and/or to allow individuals with disabilities to participate in UW-Stout’s educational programs, benefits and opportunities.

5.0 IMPLEMENTATION OF POLICY

5.1 University property/buildings where service animals are allowed:

5.1.1 For individuals and visitors who are not employees or students on campus, service animals will be permitted at campus locations which are generally open to the public, such as the student center, restroom facilities, common areas and recreational facilities (when not restricted by a pass, permit or ticket).

5.1.2 For individuals who are either employees and/or students, service animals will be permitted at campus locations where staff and/or students are allowed access for purposes of employment and/or academic matters, such as general classrooms, offices, residence halls and assembly areas.

5.2 University property/buildings where service animals may be prohibited:

5.2.1 Mechanical rooms, utility rooms

5.2.2 Animal research facilities

5.2.3 Food preparation areas

5.2.4 Laboratories, shops or studios with hazardous activities or where the presence of a service animal would be inappropriate or disruptive to the learning activity.

5.3 Responsibility of University:

5.3.1 Disability Services will contact University entities (housing, food service, physical plant/grounds keeping, police services, etc.) to make them aware that there is a service animal on campus. University Police will notify EMS/Fire.

5.3.2 Grounds crew will provide a reasonable location for the animal to toilet and will keep the animal’s toilet area free from obstructions (snow, branches, etc.).

5.3.3 Disability Services will coordinate all classroom and other campus accommodations with appropriate University personnel, including faculty and/or staff.

5.3.4 Faculty and staff should contact Disability Services if they have concerns over the use of a service animal in a particular classroom or other course-related setting or location.

5.3.5 University Police will make contact with an identified alternate handler in the case of an emergency.

5.4 Responsibilities of the Handler:

5.4.1 Meet with the Disability Services staff to discuss equal access and participation in educational programs on campus.

5.4.2 Ensure the animal is wearing an identification tag (with handler contact name and phone number), and an identifying cape/bandana/harness at all times.
5.4.3 Be in control of the animal at all times.

5.4.4 Maintain animal health, hygiene and vaccination.

5.4.5 Use designated areas on campus, if applicable, for outdoor toilet and/or exercise of service animal.

5.4.6 Ensure the immediate clean-up and disposal of animal waste.

5.4.7 Make prior arrangements for a person to take custody of the service animal in the event of a handler emergency. The handler shall share this contact information with University Police (715.232.2222).

5.5 Reasonable Inquiries Regarding Service Animal:

5.5.1 If the need for service animal is not reasonably obvious to the University, the University may ask the owner or handler the following questions:
   a. Whether the animal is required because of a disability, and
   b. What tasks or work has the animal been trained to perform.

5.5.2 The University may also inquire into the training cues or other signs given to the animal to perform a task or work in order to distinguish the service animal from an ordinary pet or animal. However, the University may not require documentation of training, licensure or certification.

5.5.3 If an owner or handler refuses to provide the above information, the University may refuse to allow the animal to enter or remain on campus property.

5.6 Removal of Service Animal:

5.6.1 The University may require a service animal to be removed from a UW-Stout facility or location if one or more of the following occurs:
   a. The animal’s behavior is aggressive in nature;
   b. The handler is unable or unwilling to maintain proper control over the animal;
   c. The animal’s presence creates a significant hazard to the academic or workplace environment;
   d. The animal’s presence fundamentally alters or is disruptive to the workplace and/or learning environment or educational program;
   e. The animal poses a direct threat to the health or safety of others.

5.7 Responsibility For Implementation

5.7.1 The Dean of Students has overall responsibility for ensuring compliance with the policy.

5.7.2 Contact list:
   Disability Services – responsible coordination of services for students with disabilities to include service animals.
   Human Resources – responsible for coordination of services for employees with service animals
   University Housing – responsible for accommodating person approved to have a service animal
   University Police – responsible for receiving and addressing safety concerns related to service animals
5.8 Appeal Process

5.8.1 Any student dissatisfied with a decision concerning a service animal may contact:

Dean of Students Office

The student will be asked to submit their appeal in writing to the office. The University ADA Committee will review the complaint and make a recommendation to the Dean of Students no later than 30 days from receipt of the complaint, unless extenuating circumstances warrant additional time.

5.8.2 Any employee dissatisfied with a decision concerning a service animal should contact:

Human Resources/Affirmative Action Office

The employee will be asked to submit an appeal in writing to the office. The University ADA Committee will review the complaint and make a recommendation to the Director of Human Resources no later than 30 days from receipt of the complaint, unless extenuating circumstances warrant additional time.

APPENDIX A: Service Animals in Training

Return to Sequential Index.
Return to Subject Index.
APPENDIX A: Service Animals in Training

Wisconsin Statutes chapter 106.52 provides for individuals to be able to have service animals in public places when the animals are in training. If these animals are being trained by an individual who is NOT using the service animal for their own personal disability, the training individual should notify UW-Stout Police at (715) 232-2222. The animal trainer shall follow all of the previous responsibilities listed previously in this policy, except they do not need to notify Student Disability Services. Upon notification of a service animal in training, Stout Police will share the information with any Building Supervisors and University Housing, as appropriate, to let them know of the rights and responsibilities of the training individual -- per this policy.
TO:  Jerry Addie
    Deb Gehrke
    Terry McCann
    Joan Thomas
    Lisa Walter
    Ned Weckmueller

    c: Meridith Drzakowski
    Kristi Krimpelbein
    Brenda Krueger

FROM:  Charles W. Sorensen
        Chancellor

DATE:  August 20, 2012

RE:  Sexual Harassment Policy 91-53 Revision

I am approving the request to revise the Sexual Harassment Policy. With this memo, I am charging Deb Gehrke to serve as the lead person and policy owner, to develop this policy with policy review committee members: Terry McCann, Joan Thomas, Lisa Walter, one academic staff representative, one faculty representative, and one representative from the Equal Opportunities in Education Committee (formerly the EO/AA Committee).

This is to request that Ned Weckmueller and Jerry Addie submit the name of one faculty member and one academic staff member and Deb Gehrke submit the name of one EOE committee representative to serve on this policy review committee. Please submit these names to Kristi Krimpelbein no later than September 4, 2012.

I am asking Meridith Drzakowski to attend the first meeting of the group in order to explain the steps involved in the development of new all-university policies. Please submit your first draft of this policy document to Kristi Krimpelbein no later than November 5, 2012.

Attachment
DATE: 8/16/2012  via electronic mail

TO: Chancellor Sorensen

cc: Deb Gehrke

FROM: Meridith Wentz
Assistant Chancellor for Planning, Assessment, Research and Policy

RE: Requested revision to policy #91-53

This memo is to request a revision to the Sexual Harassment Policy: #91-53. The purpose of the revision is to expand the scope to include sexual violence, per guidance from System Legal. The policy was originally written in 1991 and was revised in 2011.

The policy request has been reviewed by the Human Resources office. The campus policy committee recommends that this policy revision go through the longer review process, which includes review by yourself, the Cabinet and the Senates, since the revisions do change the intent of the policy statement.

Thank you for your consideration of this policy revision.
TO: Senate of Academic Staff Subcommittee
    Jerry Addie
    Lelah Lugo
    PPC Subcommittee
    Nels Paulson
    Pete Schlosser
    Ned Weckmueller
    Classified Staff Representative (Pending)
    c: Strategic Planning Group
    Brenda Krueger, Senate Office

FROM: Charles W. Sorensen
      Chancellor

DATE: July 27, 2012

RE: Compensation Program Criteria Feedback

At the July 18th Strategic Planning Group (SPG) retreat, SPG members discussed a variety of topics related to enrollment targets and a compensation program. One of the topics discussed was the draft compensation program based on market, merit and equity criteria. Attached are the notes from those discussions for your review and consideration as you update the compensation program criteria and submit to me by August 23, 2012. The PARQ office will be responsible for scheduling the meetings of the group and will provide resource materials as requested.

The criteria will be shared with appropriate university groups as outlined in the attached timeline including at the first senate meetings in the fall. Additional feedback on this initiative will also be solicited at the 2012 engagement sessions.

This initiative was announced at the 2011 engagement sessions and is one of our highest priorities in order to retain and attract qualified faculty and staff. Thank you for your work on this important initiative.

Attachments
## Compensation Program Timeline

<table>
<thead>
<tr>
<th>Date</th>
<th>Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>By August 23rd</td>
<td>Draft recommendations submitted from the subcommittees</td>
</tr>
<tr>
<td>August 27th</td>
<td>Feedback solicited at the engagement sessions</td>
</tr>
<tr>
<td>By September 17th</td>
<td>Feedback received from the Senate</td>
</tr>
<tr>
<td>September 17th</td>
<td>Criteria shared at CAC meeting (feedback obtained at meeting)</td>
</tr>
<tr>
<td>By September 24th</td>
<td>Criteria finalized via Cabinet discussion this same day</td>
</tr>
<tr>
<td>By October 8th</td>
<td>Deans/Directors solicit nominations with justification from department chair/heads</td>
</tr>
<tr>
<td>By October 19th</td>
<td>Deans/Directors prioritize and justify submissions for funding</td>
</tr>
<tr>
<td>By November 9th</td>
<td>Deans/Directors meet individually with the Division Head to discuss recommendations</td>
</tr>
<tr>
<td>By November 16th</td>
<td>Cabinet meets to finalize decisions</td>
</tr>
<tr>
<td>January 1st</td>
<td>Funding becomes part of individuals base salary – retroactive to July 1st</td>
</tr>
</tbody>
</table>
What feedback do you have on the draft criteria for the compensation program based on market, merit and equity?

- Clarify – base salary or actual salary? Many doing overloads. Should be base salaries.
- Need a cap amount
- Market criteria is the most problematic; can cause problems with morale based on fairness
- Add campus service to the market criteria
- Delete the ‘verified offers of employment’ in the Market Criteria because of what it does to morale; define Market by supply and demand
- Should Deans/Chairs in the colleges have flexibility with some criteria pieces (ie – verified offers of employment)
- Are CUPA comparisons only national? Are there regional, public/private, by discipline, peer institutions
- Prioritize the level of salary comparisons – System, region, nation
- 2, why is this a criteria, this is about retention, and the ability to obtain grant funding criteria is more about merit
- What searches do we have a hard time finding qualified people for? This could be relevant data to know, does it occur in certain fields of study?
- Equity is affecting many people, but some of them are typically older people and are not necessarily looking for a job change
- During the hiring process, sometimes the salary offered to new hires is influenced by the idea that new hires should not make more than current faculty
- Also look at non-instructional, salary is an issue. Merit is good, but look at the position also, because positions can be under paid given what they are asked to do
- Are titling changes an issue? If people take on more responsibility over time, titling change is appropriate.
- Salary compression is an issue; across the board raises only exacerbate this issue
- We should go ahead with the pay plan even if the regents don’t adopt a pay plan
- What market factors are going to be used to analyze classified staff? Look at the job classification, an in-house process to manually look at the data, OSER data, a system-wide comparison may also be appropriate
- Do a private sector comparison with classified, to incorporate salary and benefits in this comparison. Would this confuse the issue?
- The private market data might be useful if it was determined how the range of pay fit. Look at regional data, MN, not IL
- Establish a way of having an equitable compensation plan
- 2,4,5 of criteria, put those three into a retention criteria? Retention is assumed to be part of the proposed criteria, 2, 4, 5
- What about assessing the merit for classified staff? What indicates merit for them? Meets or exceeds expectations is perceived differently; people perceive meets as negative. Some institutions have a bell curve for rating employees. “In comparison to peers, this person is at the top of the bell curve”
- Suggestion: If you tied the merit piece to meets expectation, the lump sum would be tied to exceeds expectations.
Compensation Plan Large Group Discussion Comments:

Expanding Camps and Conferences Revenue Discussion:

Building Closings to Decrease Energy Costs Discussion:
- Electrical project for substation bought meters for all the buildings
- Physical cost of closing buildings down and consolidating
- As a public institution we are mandated by the state to be open from 7:45-4:30 Mon-Fri; can go between occupied and unoccupied by zone for air handlers, which saves energy in upgraded buildings that can do this.

Additional Ideas to Fund Compensation Program Discussion:

Feedback on Draft Criteria for Market, Merit and Equity Discussion:
- Delete the Verified Job Offer in the market criteria – positive feedback

Other Inequities at UW-Stout Discussion:

Reductions to Number of LTEs Discussion:
Criteria and Distribution of Compensation Program based on Market, Merit and Equity- 2013-2015
University of Wisconsin-Stout

This document defines University of Wisconsin-Stout’s criteria and process for allocating funds for the Compensation Program based on Market, Merit and Equity.

1. Purpose
The purpose of these funds is to retain highly qualified and effective faculty, academic staff, and classified staff. This plan applies to all employee groups except for LTEs. Per System guidelines, the plan is based on market, merit and equity.

2. Criteria Selection
In order to be eligible to receive funding through this fund, employees must demonstrate that they meet the following merit criteria:

**Merit Criteria:**
Unclassified employees must have a history of “at or above” performance ratings for the past five years or as long as the employee has been at UW-Stout, whichever is less.

Classified employees must have a history of “meets” or “exceeds” ratings for the past five years or as long as the employee has been at UW-Stout, whichever is less.

In addition to the above merit criteria, the employee must demonstrate that they meet one or more of the market and equity/compression criteria below.

**Market Criteria:**
The criteria used in the selection of recipients may include:

1. Employees whose expertise and services are in high demand, as defined by CUPA for faculty and instructional academic staff. CUPA will also be used for some non-instructional positions. A central process (to be determined) will be used to identify which position titles have an appropriate CUPA comparison. For those who do not have an appropriate CUPA comparison, individuals will be compared to the UW System average for that title.
2. Employees with a successful track record of grant supported research or who have obtained significant external funding.
3. Employees who possess unique or specialized skills sets critical to UW-Stout’s disciplines or programs.
4. Employees whose expertise is required to maintain or meet program accreditation requirements.
5. Employees who have incurred significant and permanent changes in job duties, so that the job itself has increased in complexity and viability. *(and which could or would not be covered by a re-class of position)*
6. Employees who serve in key membership positions on multiple university-level committees and/or undertake professional development/training opportunities which result in greater benefit to the university as a whole.
7. Employees who exhibit high-level organizational, decision-making, advisory, and leadership skills, and whose work habits result in increased productivity and/or efficiency.
**Equity/Compression Criteria:**
The criteria used in the selection of recipients may include:
1. Unclassified employees who are at or below their predicted salary in the internal salary equity model.
2. Unclassified employees who are at least 1 standard deviation below their predicted salary in the internal salary equity model based on gender and/or race/ethnicity.
3. Since classified staff are not currently included in the salary equity model, there will be no equity criterion for classified staff in the first year of the supplemental pay plan. Equity criterion and/or models for classified staff will be developed for use in future years.

**3. Award Amounts**
Individual salary adjustments must be $1,000 or more.

**4. Process and Timeline**

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NOTE: Use of these funds is limited to salary dollars. All funds should be used in the year they are allocated. They are not to be distributed using any type of formula or “across-the-board” methodology. Funding is returned to the university when individuals resign or retire from UW-Stout and is reallocated the next year.

**Notes:**
- The possibility of equitable distribution across employee groups is to be discussed at the engagement sessions.
- PARQ will investigate as to if there is an existing mechanism to determine if there is an appropriate CUPA comparison for non-teaching titles within UW System.
- The minimum award amount, if lower, could include more people. “Minimum” means that some people could receive more than this amount. The minimum amount is to be discussed at the engagement sessions.